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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/274,250	03/23/1999	TOSHINAO KOMURO	21.1908	8151

21171 7590 05/18/2005

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EXAMINER
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SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/274,250

Applicant(s)

KOMURO, TOSHINAO

Examiner

Steven P Sax

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-24 is/are allowed.
- 6) ☒ Claim(s) 25 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The remarks to the Brief entered 1/27/05 have clarified the issues regarding the previous rejection, and that rejection has been removed.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurtzman, II (6044376) and James et al (6035377).

4. Regarding claim 25, Kurtzman, II shows a method of a browser that automatically displays different user activatable visual representations of a URL with increasing occurrences of accessing and displaying web data corresponding to the URL (Figures 5, 7, 9, column 1 lines 60-66, column 2 lines 1-10 and 57-65, column 3 lines 15-25 and 55-67, column 4 lines 1-10), where user selection of a user activatable visual representation of the URL causes corresponding web data to be accessed and displayed by the browser (column 3 lines 30-49). Note that the URL itself is accessed, but the visual representation displayed includes an advertisement, which is different based on the occurrence history of the URL by that browser. Kurtzman, II does not

specifically state that the number of occurrences of access and display is counted to three before the representation changes (i.e. a different advertisement is shown with the page) and does not specifically state that the occurrences follow one another with or without intervening other occurrences of access and displaying web data corresponding to the URL, but Kurtzman, II does mention convenient monitoring techniques with which to determine frequency of page address access. Furthermore, James et al do show counting to various threshold numbers of page address access with each access occurrence following one another, for convenient monitoring of frequency of page address access (column 4 lines 8-20, column 5 lines 25-55). Note that the threshold may vary (i.e. with or without intervening other occurrences of accessing the page address). It would have been obvious to a person with ordinary skill in the art to have the system of Kurtzman, II count the number of occurrences up to three, with or without intervening other occurrences, before changing the representation, because it would allow a convenient way to monitor page address access frequency (URL access) in a system that changes the visual representation based on user URL activity history.

5. Regarding claim 26, the different visual representations are chosen, generated or changed by counting occurrences of access and displaying the resources that comprise the web data of the URL (the ads are changed based on frequency of accessing and displaying the actual information in the URL – Kurtzman, II column 3 lines 50-65, column 4 lines 1-15).

6. Claims 2-24 are allowable over the prior art of record. The combination of features including setting the importance degree mark and actually displaying it for an associated URL when the number of times an image accessed by the associated URL exceeds one of the stored threshold values associated with the image, as brought out in these claims, is not set forth in the prior art of record.

7. Applicant's arguments with respect to the claims considered but are moot in view of the new ground(s) of rejection.

8. Examiner attempted to reach applicant's representative, and applicant's representative is invited to contact Examiner at 571-272-4072.

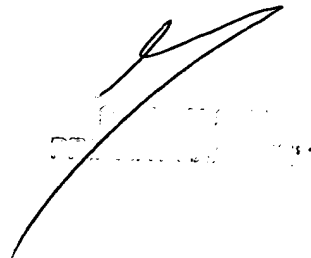
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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